

FILED '07 AUG 06 17:22 USDC-ORP

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

DANIEL MCSORLEY,)	
)	
Plaintiff,)	Civil Case No. 06-1120-PK
)	
vs.)	ORDER
)	
MICHAEL J. ASTRUE ¹ , Commissioner)	
of Social Security,)	
)	
Defendant.)	
_____)	

Merrill Schneider
Schneider Law Offices
14415 S.E. Stark
P.O. Box 16310
Portland, Oregon 97292

¹On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for Commissioner Linda S. McMahon as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Linda S. Ziskin
3 Monroe Parkway, Suite P
Lake Oswego, Oregon 97035

Attorneys for Plaintiff

Karin J. Immergut
United States Attorney
District of Oregon
Neil J. Evans
United States Attorney's Office
1000 S.W. Third Avenue, Suite 600
Portland, Oregon 97204

Leisa A. Wolf
Social Security Administration
Office of General Counsel
701 Fifth Avenue, Suite 2900 M/S 901
Seattle, Washington 98104

Attorneys for Defendant

KING, Judge:

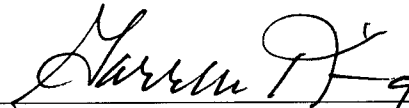
The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on July 10, 2007. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.²

²I have confirmed that the absence of text on page nine of the Findings and Recommendation is merely a formatting error, and no part of the analysis is missing.

Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation (#22).

IT IS HEREBY ORDERED that the case is remanded pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings. Judgment will be entered.

Dated this 6th day of August, 2007.



Garr M. King
United States District Judge